

## DETAILED ACTION

### **ART REJECTION:**

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strope et al(4,556,845).

-- In considering claims 1-4, the claimed subject matter that is met by Strope et al(Strope) includes:

1) the cap assembly for use with a sensor assembly that is mounted to a support is met by the cap(13) which is used with the sensor(11), the sensor being mounted to support in the form of screw as seen in figure 2);

2) the body having a predetermined length and a shape matching a shape of a portion of the support is such that the body is removably securable to the support is met by the cap(12) having a body as seen in figure 2, which includes an inner groove which has a shape that matches the shape of support screw.

#### **- Strope does not show:**

- 1) the epoxy for holding the sensor assembly to the support;
- 2) the end plate;

3) the handle for removing the cap assembly from the support when the epoxy has cured.

With regards to the end plate and handle, although use of an end plate is not specifically shown, Strobe does state that some form of suitable means is utilized to render the cap and sensor liquid proof(see: column 2, lines 64 et seq). In view of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate an end plate to prevent epoxy of other liquid from flowing therepast, since this is desired by Strobe.

Furthermore, it would have also been obvious to incorporate a handle for removing the cap assembly, since a handle would have ensured that the cap would have been unscrewed as desired. Furthermore, connecting the handle to the end plate would have incorporated both functions into a single devices so as to eliminate the necessity of separate devices. As well, one of ordinary skill would have recognized any shape or dimension of handle and as well to extend it across the body or any length that would have provided the most benefit to the system.

***Allowable Subject Matter***

3. Claims 5-10 are allowed.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is 571-272-2959. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL WU can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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